

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ENCYCLOPAEDIA BRITANNICA, INC.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No.: 1:08-cv-02752
	)	
MARKUS SLEUWEN GUERRERO and	)	Honorable Rueben Castillo
ONLINE EDUCATION SYSTEMS, LLC,	)	Magistrate Judge Martin C. Ashman
	)	
Defendants.	)	

**AGREED MOTION FOR LEAVE TO FILE DOCUMENTS UNDER SEAL**

Defendant Online Education Systems, LLC (“OES”) hereby requests that the Court grant it leave to file certain documents containing confidential information under seal. Those documents are OES’: Memorandum of Law in Opposition to Plaintiff’s Motion For Partial Summary Judgment; the Declaration of Markus Sleuwen Guerrero, and Defendant’s LR-56.1(b) Statement (collectively, the Defendant’s “Confidential Documents”), which have been lodged with court pending this Motion. In support of this Motion, OES states:

1. On October 7, 2005, Encyclopaedia Britannica and OES entered into that certain License Agreement and Distribution Agreement dated October 7, 2005 (the “License Agreement”). Pursuant to that Agreement, the Parties agreed to maintain the existence and terms of such agreement as confidential. To meet its obligations under the License Agreement, OES is seeking to file the Confidential Documents which contain numerous and frequent descriptions of the terms of the License Agreement.

2. Additionally, Encyclopaedia Britannica has conducted discovery of third parties related to the issues in this case. Those third parties have produced confidential communications detailing sensitive negotiations, and have marked such documents as “confidential.” The Confidential Documents describe the contents of such documents.

3. The Parties have not disclosed publicly, and consider to be confidential, both the terms of the License Agreement and the communications produced by respondent to Encyclopaedia Britannica's third-party subpoenas.

4. The Parties have kept such confidential information secret and have disclosed such information only on a limited basis, if at all.

5. The Parties have consulted with each other regarding the need for this motion, and each agrees that the relief requested in this motion is necessary and appropriate.

WHEREFORE, for the foregoing reasons, the Parties respectfully request that OES' Motion be granted, and that it may be permitted to file the Confidential Documents under seal.

Dated: July 31, 2008

**MILLER SHAKMAN & BEEM LLP**

By: /s/ Eric A. Oesterle  
Attorneys for defendants Markus Sleuwen  
Guerrero and Online Education Systems, LLC

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